

PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshiaki KOHAMA et al.

Attn: **Mail Stop Missing Parts**

Application No.: 10/705,497

Filed: November 12, 2003

Docket No.: 113931.01

For: SCANNING DEVICE AND METHOD INCLUDING ELECTRIC CHARGE
MOVEMENT

**PETITION IN RESPONSE TO NOTICE OF
OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Omitted Item(s) in a Nonprovisional Application mailed on February 11, 2004 (copy attached) indicated that Figure 24 described in the specification was omitted from the application when filed in the U.S. Patent and Trademark Office on November 12, 2003.

In response to the Notice of Omitted Items, Applicants follow Option 1, and respectfully submit that the November 12, 2003 filing date should be maintained for this application. Attached to this communication is a copy of Figure 24 that was submitted with this application on November 12, 2003. Applicants respectfully submit that Figure 24 was in fact filed with in the U.S. Patent and Trademark Office with the nonprovisional application papers.

In particular, when filing this application on November 12, 2003, the entire disclosure of the parent application was filed. See the November 12, 2003 date-stamped filing receipt listing the application papers, including 40 sheets of formal drawings as filed in the U.S. Patent and Trademark Office.

Our Check No. 151217 for \$130.00 as the petition fee set forth in 37 C.F.R. §1.17(h) is attached to this petition.

! 02/24/2004 WASFAW1 00000007 10705497

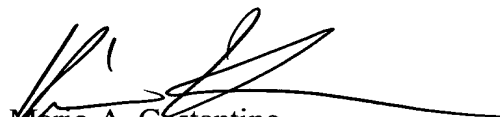
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Applicants respectfully request a favorable determination that Figure 24 was in fact received by the Patent and Trademark Office and a refund of the petition fee.

Furthermore, the Preliminary Amendment that was filed with this application on November 12, 2003 incorporated the parent application (application no. 09/324,896) by reference. Thus, even if this Petition is not granted, Fig. 24 can be added without the addition of new matter, and Applicants request such an addition of the attached Fig. 24,

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

Richard J. Kim
Registration No. 48,360

Attachments:

Copy of Figure 24
Copy of November 12, 2003 Filing Receipt
Copy of Notice of Omitted Item(s)

MAC:RJK/sqb

Date: February 19, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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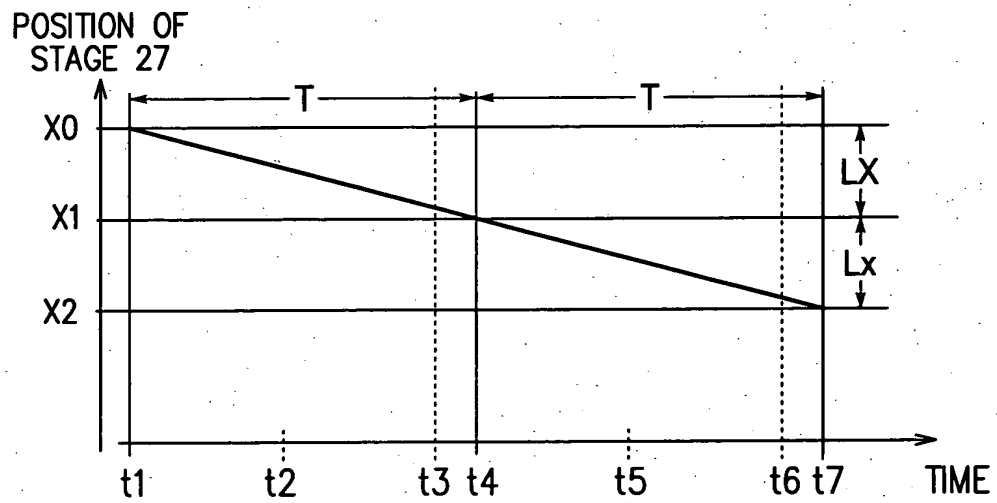


Fig. 24

PTO RECEIPT FOR FILING OF PAPERS

► **Mail Room (Regular Delivery)**

The following papers have been filed:

App. Data Sheet, Rule 53(b) Transmittal, Ck. #148152 (\$770.00), Pre. Amend, appln. consisting of 58 pgs, w/copy of ex. Dec/Power of Attorney, copy of Power of Attorney Assignee, 40 sheets of formal dwgs. and IDS with PTO Form 1449

Name of Applicant: Yoshiaki KOHAMA et al.

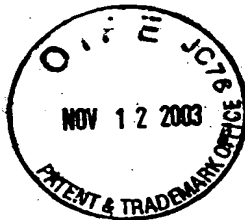
Serial No.:

Atty. File No.: 113931.01

Title (New Cases): SCANNING DEVICE AND METHOD INCLUDING ELECTRIC CHARGE MOVEMENT

Sender's Initials: MAC:RJK/mdw

PATENT OFFICE DATE STAMP



291,37

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AND RETURNED BY MESSENGER**